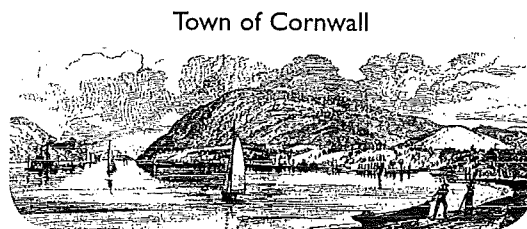


Town Hall
183 Main Street
Cornwall, NY 12518
(845) 534-3760
fax: (845) 534-4342



Orange County, New York

Office of the Supervisor
Kevin Quigley
Town Supervisor

AGENDA
Cornwall Town Board
Regular Meeting – Monday, May 13, 2013
7:30 pm

6:30 p.m. Sands Ring Homestead – Board of Trustees
7:15 p.m. Public Hearings:
Amend Local Laws: Zoning, Subdivision of Land & Preservation of Trees, Clearing and Grading, Multiple Dwellings and Affordable Housing

Pledge of Allegiance

Approval of Minutes – April 8, 2013 Regular Meeting; April 22, 2013 Special Meeting; May 7, 2013 Special Meeting and Work Session

Public Comment Agenda Items

1. Resolution – SEQR – Local Law - Zoning
2. Resolution – Adopt Local Law - Zoning
3. Resolution – SEQR – Subdivision of Land & Preservation of Trees
4. Resolution – Adopt Local Law – Subdivision of Land & Preservation of Trees
5. Resolution – SEQR – Clearing and Grading
6. Resolution – Adopt Local Law – Clearing and Grading
7. Resolution – Cornwall Commons Meeting
8. Resolution – FY-2014 Community Development - Set Public Hearing
9. Sands Ring Homestead Update
10. Resolution – Old Route 32 Stone Culvert (Close Road)
11. Resolution – Taylor Road & Boulevard Bridge Repairs
12. Resolution – Farmers Market – Change Hours
13. Resolution – Judge Joseph L. Thomson Plaque
14. Resolution – Tax Certiorari Settlements
15. NYMA Fireworks
16. Eagle Scout Project Dog Park
17. Premier Fence Company – STP
18. COVAC – Approve Payment to Scicchitano & Pinsky, PLLC
19. Personnel:
Appointments –Recreation Summer Salaries, Summer Highway Laborer
Police Department – Officer Jeffrey Marinaro Completed Probation
Training:
Chief Todd Hazard – NYS Association of Chiefs' Training Conference
Robert Conley – Annual Supt. of Highway School
Linda Giardella & Renata McGee – Membership NY Association of Local Government
Records

Committee Reports
Warrant #5
Public Comment
Adjournment

WHEREAS, the Town Board is considering the adoption of a local law entitled: A Local Law to amend Town Code Chapter 158 by amending Town Code Section 158-5 "Zoning Map" to change the zoning designation of certain property from "PRD" to "HC", and

WHEREAS, this is an action subject to SEQRA, and

WHEREAS, the Town Board as the sole Involved Agency assumes Lead Agency status and, as such, has caused to be prepared a short Environmental Assessment Form ("EAF"),

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Supervisor is hereby authorized to sign the EAF, and

2. That after considering all of the information presented to it, including the EAF, the Town Board determines that the adoption of this local law is an Unlisted Action and adopts the Negative Declaration attached hereto.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

**STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

May 13, 2013

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Cornwall Town Board as Lead Agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: The adoption of a local law entitled: A local law to amend Town Code Chapter 158 by amending Town Code Section 158-5 "Zoning Map" to change the zoning designation of certain property from "PRD" to "HC".

Action Type: Unlisted Action

Conditioned Negative Declaration: No

Description of Action: The Town of Cornwall proposes to enact a local law to amend the Town's Zoning Code to implement the provisions of the Town's Comprehensive Plan by changing the zoning designation of certain property from "PRD" to "HC".

Contact Person: D. Kevin Quigley, Supervisor, Town of Cornwall, Town Hall, 183 Main Street, Cornwall, New York 12518.

Location: Unincorporated area of the Town of Cornwall.

Reasons Supporting Negative Declaration:

No significant environmental effects are associated with the proposed Local Law as per review of the Short Form EAF prepared pursuant to SEQRA.

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I – PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR TOWN BOARD, TOWN OF CORNWALL	2. PROJECT NAME LOCAL LAW NO. OF THE YEAR 2013
3. PROJECT LOCATION: Municipality: TOWN OF CORNWALL County: ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) THE ACTION IS THE ADOPTION OF A LOCAL LAW TO AMEND TOWN CODE CHAPTER 158 BY AMENDING TOWN CODE SECTION 158-5 "ZONING MAP" TO CHANGE THE ZONING DESIGNATION OF CERTAIN PROPERTY FROM "PRD" TO "HC"	
5. IS PROPOSED ACTION: New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: THE TOWN BOARD PROPOSES TO ADOPT A LOCAL LAW TO AMEND TOWN CODE SECTION 158-5 "ZONING MAP" TO CHANGE THE ZONING DESIGNATION OF CERTAIN PROPERTY FROM "PRD" TO "HC"	
7. AMOUNT OF LAND AFFECTED: TAX MAP SECTION 9, BLOCK 1, LOT 25.1 Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space Other Describe: PRD	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY, FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permits/Approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permits/Approvals: N/A	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/Sponsor Name: TOWN OF CORNWALL Date: MAY , 2013	
Signature: _____ D. KEVIN QUIGLEY, SUPERVISOR	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART II – ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. ☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another Involved Agency. ☐ Yes ☒ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: **NO**

C2. Aesthetic, agricultural, archeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly: **NO**

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: **NO**

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: **NO**

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: **NO**

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: **NO**

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly: **NO**

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☒ No If Yes, explain briefly:

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important, or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a Positive Declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

TOWN OF CORNWALL

Name of Lead Agency

D. KEVIN QUIGLEY

SUPERVISOR

Print or type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

MAY , 2013

Date

WHEREAS, the Town Board is considering the adoption of a local law entitled: A local law to amend Town Code Chapter 158 by amending Town Code Section 158-5 "Zoning Map" to change the zoning designation of certain property from "PRD" to "HC", and

WHEREAS, following due notice the Town Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/293652
254-6540302
5/10/13

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of CORNWALL

Local Law No. _____ of the year 20¹³

A local law to amend Town Code chapter 158 by amending Town Code Section 158-5 "Zoning Map" to
(Insert Title)
change the zoning designation of certain property from "PRD" to "HC"

Be it enacted by the TOWN BOARD _____ of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of CORNWALL _____ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

A Local Law to amend Town Code Chapter 158 by amending Town Code Section 158-5 "Zoning Map" to change the zoning designation of certain property from "PRD" to "HC."

SECTION 1. PURPOSE

The purpose of this Local Law is to amend the Town's Zoning Code to implement the provisions of the Town's Comprehensive Plan by changing the zoning designation of certain property from "PRD" to "HC."

SECTION 2. AMENDMENT OF CODE.

1. Town Code Section 158-5 "Zoning Map," is hereby amended to change the zoning designation from "PRD" (Planned Residential Development) to "HC" (Highway Commercial District) of all that real property identified on the Tax Map as Section 9, Block 1, Lot 25.1, consisting of 35 +/- acres bounded on its east by US Highway 9W (southbound lanes) in the vicinity of the Academy Avenue ramps; and bounded to its southwest, west, northwest, and north by lands of Cornwall Commons, LLC and more particularly described as follows: ALL those certain pieces or parcels of land designated as Parcels 360C, 361, 363 on Release Map No. 37183-Z on file in the office of the Department of Water Supply, Gas and Electricity of the City of New York, situated, lying and being in the Town of Cornwall, Orange County, State of New York.

SECTION 3. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the language directly involved in the controversy in which judgment shall have been rendered.

SECTION 4. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20¹³ of the (County)(City)(Town)(Village) of CORNWALL was duly passed by the TOWN BOARD on 20¹³, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4.. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ¹ _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
Renata McGee, Town Clerk

Date: _____

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
STEPHEN J. GABA, ATTORNEY

Title

County
City of CORNWALL
Town _____
Village _____

Date: _____

WHEREAS, the Town Board is considering the adoption of a local law entitled "A Local Law to amend Town Code Chapter 125 by amending Town Code Section 125-2(A)(19)", and

WHEREAS, this is an action subject to SEQRA, and

WHEREAS, the Town Board as the sole Involved Agency assumes Lead Agency status and, as such, has caused to be prepared a short Environmental Assessment Form ("EAF"),

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Supervisor is hereby authorized to sign the EAF, and

2. That after considering all of the information presented to it, including the EAF, the Town Board determines that the adoption of this local law is an Unlisted Action and adopts the Negative Declaration attached hereto.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/293578
254-6490308
5/10/13

**STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

May 13, 2013

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Cornwall Town Board as Lead Agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: The adoption of a local law entitled "A local law to amend Town Code Chapter 125 by amending Town Code Section 125-2(A)(19)".

Action Type: Unlisted Action

Conditioned Negative Declaration: No

Description of Action: The Town of Cornwall proposes to enact a local law to amend the Town Code provisions regarding subdivision of land and preservation of trees to implement the provisions of the Town's Comprehensive Plan regarding land use development and environmental conservation.

Contact Person: D. Kevin Quigley, Supervisor, Town of Cornwall, Town Hall, 183 Main Street, Cornwall, New York 12518.

Location: Unincorporated area of the Town of Cornwall.

Reasons Supporting Negative Declaration:

No significant environmental effects are associated with the proposed Local Law as per review of the Short Form EAF prepared pursuant to SEQRA.

SJG/ef/293581
254-64903.08
5/10/13

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I – PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR TOWN BOARD, TOWN OF CORNWALL	2. PROJECT NAME LOCAL LAW NO. OF THE YEAR 2013
3. PROJECT LOCATION: Municipality: TOWN OF CORNWALL County: ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) THE ACTION IS THE ADOPTION OF A LOCAL LAW TO AMEND TOWN CODE CHAPTER 125 BY AMENDING TOWN CODE SECTION 125-2(A)(19)	
5. IS PROPOSED ACTION: New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: THE TOWN BOARD PROPOSES TO ADOPT A LOCAL LAW TO AMEND TOWN CODE SECTION 125 BY AMENDING TOWN CODE SECTION 125-2(A)(19)	
7. AMOUNT OF LAND AFFECTED: THE UNINCORPORATED AREA OF THE TOWN OF CORNWALL Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER LAND USE RESTRICTIONS? X Yes <input type="checkbox"/> No If No, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space Other Describe: N/A	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY, FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permits/Approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permits/Approvals: N/A	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/Sponsor Name: TOWN OF CORNWALL Date: MAY , 2013	
Signature: _____ D. KEVIN QUIGLEY, SUPERVISOR	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART II – ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

- A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. ☐ Yes ☒ No
- B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another Involved Agency. ☐ Yes ☒ No
- C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
- C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: **NO**
- C2. Aesthetic, agricultural, archeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly: **NO**
- C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: **NO**
- C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: **NO**
- C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: **NO**
- C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: **NO**
- C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly: **NO**
- D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☒ No If Yes, explain briefly:

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important, or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a Positive Declaration.
- ☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

TOWN OF CORNWALL

Name of Lead Agency	
D. KEVIN QUIGLEY	SUPERVISOR
Print or type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)
MAY	, 2013
Date	

WHEREAS, the Town Board is considering the adoption of a local law entitled: A local law to amend Town Code Chapter 125 by amending Town Code Section 125-2(A)(19), and

WHEREAS, following due notice the Town Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/293579
254-6490308
5/10/13

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of CORNWALL

Local Law No. _____ of the year 20¹³

A local law to amend Town Code Chapter 125 by amending Town Code Section 125-2 (A) (19)
(Insert Title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of CORNWALL as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

A Local Law to amend Town Code Chapter 125 by amending Town Code Section 125-2(A)(19).

SECTION 1. PURPOSE

The purpose of this Local Law is to amend the Town Code provisions regarding subdivision of land and preservation of trees to implement the provisions of the Town's Comprehensive Plan regarding land use development and environmental conservation.

SECTION 2. AMENDMENT OF CODE.

Town Code Section 125-2 "General requirements for subdivision of land," is hereby amended to repeal subsection (A)(19) and to re-enact it to read as follows:

"19. Healthy existing trees over twelve (12) inches in diameter at four (4) feet in height above ground level shall be preserved by the subdivider, except as may be waived by the Planning Board. Other existing features, such as stands of healthy mature existing trees, particularly when located adjacent to other existing healthy mature tree stands, watercourses and falls, scenic vistas, historic or archeological resources, shall be preserved insofar as possible through harmonious design of the subdivision."

SECTION 3. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

SECTION 4. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20¹³ of the (County)(City)(Town)(Village) of CORNWALL was duly passed by the TOWN BOARD on 20¹³, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20¹² of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20¹², and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
Renata McGee, Town Clerk

Date: _____

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
STEPHEN J. GABA, ATTORNEY

Title

County
City of CORNWALL
Town
Village

Date: _____

WHEREAS, the Town Board is considering the adoption of a local law entitled "A Local Law to amend Town Code Chapter 75 by amending Town Code Section 75-6(I) and repealing and enacting Town Code Section 75-7(B)", and

WHEREAS, this is an action subject to SEQRA, and

WHEREAS, the Town Board as the sole Involved Agency assumes Lead Agency status and, as such, has caused to be prepared a short Environmental Assessment Form ("EAF"),

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Supervisor is hereby authorized to sign the EAF, and

2. That after considering all of the information presented to it, including the EAF, the Town Board determines that the adoption of this local law is an Unlisted Action and adopts the Negative Declaration attached hereto.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

**STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

May 13, 2013

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Cornwall Town Board as Lead Agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: The adoption of a local law entitled "A local law to amend Town Code Chapter 75 by amending Town Code Section 75-6(I) and repealing and enacting Town Code Section 75-7(B)".

Action Type: Unlisted Action

Conditioned Negative Declaration: No

Description of Action: The Town of Cornwall proposes to enact a local law to amend the Town Code provisions regarding clearing and grading to implement the provisions of the Town's Comprehensive Plan regarding land use development and environmental conservation.

Contact Person: D. Kevin Quigley, Supervisor, Town of Cornwall, Town Hall, 183 Main Street, Cornwall, New York 12518.

Location: Unincorporated area of the Town of Cornwall.

Reasons Supporting Negative Declaration:

No significant environmental effects are associated with the proposed Local Law as per review of the Short Form EAF prepared pursuant to SEQRA.

SJG/ev/293656
254-64903.05
5/10/13

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I – PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR TOWN BOARD, TOWN OF CORNWALL	2. PROJECT NAME LOCAL LAW NO. OF THE YEAR 2013
3. PROJECT LOCATION: Municipality: TOWN OF CORNWALL County: ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) THE ACTION IS THE ADOPTION OF A LOCAL LAW TO AMEND TOWN CODE CHAPTER 75 BY AMENDING TOWN CODE SECTION 75-6(I) AND REPEALING AND ENACTING Town Code Section 75-7 (B)	
5. IS PROPOSED ACTION: New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: THE TOWN BOARD PROPOSES TO ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 75 BY AMENDING TOWN CODE SECTION 75-6(I) AND REPEALING AND ENACTING TOWN CODE SECTION 75-7(B)	
7. AMOUNT OF LAND AFFECTED: THE UNINCORPORATED AREA OF THE TOWN OF CORNWALL Initially ____ acres Ultimately ____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space Other Describe: N/A	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY, FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permits/Approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permits/Approvals: N/A	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/Sponsor Name: TOWN OF CORNWALL Date: MAY , 2013	
Signature: _____ D. KEVIN QUIGLEY, SUPERVISOR	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART II – ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

- A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. ☐ Yes ☒ No
- B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another Involved Agency. ☐ Yes ☒ No
- C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
- C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: **NO**
- C2. Aesthetic, agricultural, archeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly: **NO**
- C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: **NO**
- C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: **NO**
- C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: **NO**
- C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: **NO**
- C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly: **NO**
- D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☒ No If Yes, explain briefly:

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important, or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a Positive Declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

TOWN OF CORNWALL

Name of Lead Agency

D. KEVIN QUIGLEY

SUPERVISOR

Print or type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

MAY, 2013
Date

WHEREAS, the Town Board is considering the adoption of a local law entitled: A local law to amend Town Code Chapter 75 by amending Town Code Section 75-6(I) and repealing and enacting Town Code Section 75-7(B), and

WHEREAS, following due notice the Town Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ev/293655
254-64903.05
5/10/13

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of CORNWALL

Local Law No. _____ of the year 20¹³

A local law to amend Town Code Chapter 75 by amending Town Code Section 75-6 (I) and
(Insert Title)
repealing and enacting Town Code Section 75-7 (B)

Be it enacted by the TOWN BOARD _____ of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of CORNWALL _____ as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

A Local Law to amend Town Code Chapter 75 by amending Town Code Section 75-6(I) and repealing and enacting Town Code Section 75-7(B).

SECTION 1. PURPOSE

The purpose of this Local Law is to amend the Town Code provisions regarding clearing and grading to implement the provisions of the Town's Comprehensive Plan regarding land use development and environmental conservation.

SECTION 2. AMENDMENT OF CODE.

1. Town Code Section 75-6 "Activities exempt from permit requirements" is hereby amended to repeal subsection (I) and to re-enact it to read as follows:

"I. Clearing or grading which affects less than 5,000 square feet of contiguous ground surface, or clearing or grading of areas which combined total less than 10,000 square feet on any individual parcel, except where such clearing or grading takes place within the 100-year floodplain of any watercourse, within wetlands or within a 200-foot distance of any wetland or watercourse, or within a critical environmental area or within 200 feet of a critical environmental area."

2. Town Code Section 75-7(B) is hereby repealed and re-enacted to read:

"B. Simultaneously with filing an application for a permit, the applicant(s) shall pay to the Town a fee in such amount as the Town Board may set by resolution and, further, shall mail a copy of the application to the owners of any adjoining property by certified mail return receipt requested."

SECTION 3. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which judgment shall have been rendered.

SECTION 4. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20¹³ of the (County)(City)(Town)(Village) of CORNWALL was duly passed by the TOWN BOARD on 20¹³, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on 20⁰, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law. (Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
RENATA MCGEE TOWN CLERK

Date: _____

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
STEPHEN J. GABA, ATTORNEY
Title

County
City of CORNWALL
Town
Village

Date: _____

WHEREAS, Cornwall Commons, LLC, has asked the Town Board to consider adopting an amendment to the provisions of the Town Zoning Code regarding the "PRD" District, and

WHEREAS, the Town Board wishes to schedule a special meeting to discuss the matter with Cornwall Commons, LLC, and its consultants, and

WHEREAS, in order to accommodate the anticipated number of people interested in attending the said special meeting it is necessary and appropriate to hold the special meeting in a venue larger than the Town Hall meeting room,

NOW, THEREFORE, BE IT RESOLVED as follows:

That a special meeting on Cornwall Commons be set for such date and time as the Town Supervisor may set, provided that at least two weeks' notice be given and that the meeting be held at a larger venue such as the Cornwall Middle School and that due notice of the same be given by publication and posting.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Randolph S. Clark, Councilman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

WHEREAS, heretofore the Town has determined to apply for an FY-2014 Community Development Block Grant Program grant, and

WHEREAS, prior to completing the grant application it is required that the Town Board hold a public hearing for input from the Community as to what the Town should apply for under the Block Grant Program.

NOW, THEREFORE, BE IT RESOLVED as follows:

That a public hearing on the application for a FY-2014 Community Development Block Grant Program grant is set for May _____, 2013 at _____ o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/293264
254-65400
5/9/13

WHEREAS, the Town Highway Superintendent and the Engineer for the Town have performed a field review of a potentially dangerous condition on Old Route 32 in the vicinity of an arch culvert, and

WHEREAS, the Town Highway Superintendent has determined that a dangerous situation exists and has temporarily closed approximately 50' of Old Route 32 over the existing arch culvert, and

WHEREAS, the Town Highway Superintendent now seeks approval of the Town Board for the temporary closing as a safety measure based upon the report of the engineer for the Town and the Town Highway Superintendent's field review,

NOW, THEREFORE, BE IT RESOLVED as follows:

The Town Board does hereby approve the temporary closing of a portion of Old Route 32, approximately 50' in length, which traverses the arch culvert because of a determination that an unsafe condition exists. The Town Board has been advised by the Town Highway Superintendent that the closing of the small portion of Old Route 32 will not prevent access to existing homes on Old Route 32 there being alternate means of ingress and egress.

_____ presented the foregoing
resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Randolph S. Clark, Councilman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/293566
254-65400
5/10/13

WHEREAS, the Town Board has before it a request from the Superintendent of Highways of the Town of Cornwall for approval to hire Yankee Construction to perform necessary repair work totaling \$4,800.00 on the Taylor Road and Boulevard Bridges, and

WHEREAS, Yankee Construction had previously performed the same type of work on the Taylor Road Bridge in a satisfactory and workmanlike manner, and

WHEREAS, Town Highway Department personnel will assist at both locations and materials will be purchased by the Town following the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby approve the engagement of Yankee Construction to perform the repair work on the Taylor Road and Boulevard Bridges, and
2. That the Town Highway Superintendent is authorized to contact Yankee Construction to make all the necessary arrangements for the construction, and
3. That the Highway Superintendent is further authorized to purchase the materials needed to complete the construction in accordance with the Town's Procurement Policy, and

4. That the Supervisor be and he hereby is authorized to sign any and all documents in connection with the bridge repair work.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Randolph S. Clark, Councilman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/293606
254-65400
5/10/13

WHEREAS, previously the Cornwall Community Cooperative (the "Co-op") and the Town of Cornwall ("Town") entered into a License Agreement permitting the Co-op to operate a farmers market on the Town Hall Park grounds, and

WHEREAS, the Co-op has requested the following change to that Agreement: Wednesday's hours to be changed from 10:00 a.m.-2:00 p.m. to 10:00 a.m.-4:00 p.m.,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby approve the above change in the hours of operation.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/293512
254-63300.05
5/10/13

WHEREAS, the late Joseph L. Thomson was a resident of the Town of Cornwall who served the citizens of the Town as a Town Justice for 48 years, and

WHEREAS, previously the Town recognized Judge Thomson's contributions to our community by naming the Town's court facilities in his honor: JUDGE JOSEPH L. THOMSON COURTROOM, and

WHEREAS, a plaque has been prepared so naming the court facilities,

NOW, THEREFORE, BE IT RESOLVED as follows:

That on behalf of all the citizens of the Town of Cornwall the Town Board hereby accepts the plaque renaming the Town's court facilities and directs the Superintendent of Building and Grounds to mount the plaque in an appropriate location.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Randolph S. Clark, Councilman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

WHEREAS, heretofore John P. Stern, H. Peter Stern, Joan Stern, Ralph Ogden Trust, Mountainville Properties and Pea Bridge Realty filed petitions under Real Property Tax Law Article 7 in New York State Supreme Court, Orange County, challenging the real property tax assessments for the properties located in the Town of Cornwall and more fully described on the annexed schedules prepared by Ira S. Levy, Special Counsel, and

WHEREAS, above petitioners and the Town have reached mutually agreeable settlements,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby authorize Special Counsel to the Town to enter into and execute settlement agreements on behalf of the Town for the assessments for above petitioners all in accordance with the annexed schedules.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

**RESOLUTION AUTHORIZING TAX
CERTIORARI SETTLEMENT**

WHEREAS, petitions having been filed by the property owner, below challenging real property tax assessments on the Town's assessment roll with respect to the following parcels:

<u>Property Owner(s)</u>	<u>Address/Description/Year(s)</u>
Stern, John P.	
Stern, H. Peter	
Stern, Joan	See attached schedule
Ralph Ogden Trust	
Mountainville Properties	
Pea Bridge Realty	

WHEREAS, petitioner's court challenges are now pending in the Supreme Court, Orange County; and

WHEREAS, the Town and the property owner have reached a mutually agreeable resolution;

NOW THEREFORE BE IT RESOLVED, the special counsel to the Town is authorized to execute a settlement on behalf of the Town for assessments for no less than the following:

See attached schedule

SCHEDULE OF PROPERTIES

<u>Petitioner</u>	<u>Address</u>	<u>Tax Map</u>	<u>Index Number</u>
H. Peter Stern	75 Anders Road	29/1/24.1	Index #2009-8268 Index #2010-8320 Index #2011-7413 Index #2012-6390
H. Peter Stern	100 Otterkill Road	29/1/53	Index #2009-8270 Index #2010-8322 Index #2011-7409 Index #2012-6391
H. Peter Stern	155 Taylor Road	33/1/8.41	Index #2009-8269
Joan O. Stern	99 Taylor Road	33/1/8.12	Index #2011-7410 Index #2012-6395
Joan O. Stern	130 Taylor Road	33/1/11	Index #2011-7412
Joan O. Stern Trust	101 Pleasant Hill Rd.	29/1/103	Index #2009-8251 Index #2010-8314 Index #2011-7416 Index #2012-6383
John P. Stern	155 Taylor Road	33/1/8.41	Index #2010-8308 Index #2011-7418 Index #2012-6382
Mountainville Properties	1575 NYS Route 32	36/1/59	Index #2009-8255 Index #2010-8323
Mountainville Properties	1605 NYS Route 32	36/1/60.2	Index #2010-8324
Pea Bridge Realty	115 Pleasant Hill Rd.	29/1/69.22	Index #2009-8257 Index #2010-8301 Index #2011-7408 Index #2012-6394

Pea Bridge Realty	Otterkill Road	29/1/110	Index #2009-8259 Index #2010-8299 Index #2011-7407 Index #2012-6393
Pea Bridge Realty	315 Taylor Road	29/1/22	Index #2009-8258 Index #2010-8300 Index #2011-7415 Index #2012-6392
Ogden Trust	20 Orrs Mill Road	4/2/77.11	Index #2009-8260 Index #2010-8317 Index #2011-7406 Index #2012-6389
Ogden Trust	305 Orrs Mill Road	4/2/77.2	Index #2009-8261 Index #2010-8319 Index #2011-7414 Index #2012-6384
Ogden Trust	435 Orrs Mill Road	4/2/68.2	Index #2009-8262 Index #2010-8321 Index #2011-7417 Index #2012-6387
Ogden Trust	491 Orrs Mill Road	4/2/64.1	Index #2009-8264 Index #2010-8315 Index #2011-7404 Index #2012-6388
Ogden Trust	SS Otterkill Road	29/1/109.2	Index #2009-8263 Index #2010-8318 Index #2011-7405 Index #2012-6386

TOWN OF CORNWALL							
Stern/Ogden Properties							
Proposed Settlement							
Petitioner	Address	Tax ID	Current AV	Proposed Settlement AV (2009)	Proposed Settlement AV/R (2009)		
Ralph Ogden Trust	491 Orrs Mills Road	4-2-64.2	323,450	241,400	82,050		
Ralph Ogden Trust	20 Orrs Mills Road	4-2-77.11	628,150	156,200	471,950		
Ralph Ogden Trust	305 Orrs Mills Road	4-2-77.2	126,000	56,800	69,200		
Ralph Ogden Trust	435 Orrs Mills Road	4-2-68.2	383,250	198,800	184,450		
Ralph Ogden Trust	Otterkill Road	29-1-109.2	622,000	511,200	110,800		
Pea Bridge Realty	Otterkill Road	29-1-110	96,500	42,600	53,900		
Pea Bridge Realty	315 Taylor Road	29-1-22	141,700	127,800	13,900		
Pea Bridge Realty	115 Pleasant Hill Road	29-1-69.22	370,800	178,920	191,880		
Stern, Peter	75 Anders Road	29-1-24.1	898,599	No Reduction	0		
Stern, Peter	100 Otterkill Road	29-1-53	344,500	312,400	32,100		
Stern, Peter/John P. Stern	155 Taylor Road	33-1-8.41	457,650	312,400	145,250		
Stern Trust U/W/O R. Ogden	101 Pleasant Hill Road	29-1-103	1,047,900	516,880	531,020		
Mountainville Properties	1575 Route 32	36-1-59	126,000	N/A	0		
Mountainville Properties	1605 Route 32	36-1-60.2	525,000	N/A	0		
Stern, Joan	99 Taylor Road	33-1-8.12	682,900	N/A	0		
Stern, Joan	130 Taylor Road	33-1-11	303,600	N/A	0		
Totals			7,077,999	2,655,400	1,886,500		
Petitioner	Address	Tax ID	Current AV	Proposed Settlement AV (2010)	Proposed Settlement AV/R (2010)		
Ralph Ogden Trust	491 Orrs Mills Road	4-2-64.2	323,450	245,300	78,150		
Ralph Ogden Trust	20 Orrs Mills Road	4-2-77.11	628,150	153,300	474,850		
Ralph Ogden Trust	305 Orrs Mills Road	4-2-77.2	126,000	55,810	70,190		
Ralph Ogden Trust	435 Orrs Mills Road	4-2-68.2	383,250	214,700	168,550		
Ralph Ogden Trust	Otterkill Road	29-1-109.2	622,000	521,300	100,700		
Pea Bridge Realty	Otterkill Road	29-1-110	96,500	46,000	50,500		
Pea Bridge Realty	315 Taylor Road	29-1-22	141,700	122,700	19,000		
Pea Bridge Realty	115 Pleasant Hill Road	29-1-69.22	370,800	184,000	186,800		
Stern, Peter	75 Anders Road	29-1-24.1	898,599	No Reduction	0		
Stern, Peter	100 Otterkill Road	29-1-53	344,500	318,900	25,600		
Stern, Peter/John P. Stern	155 Taylor Road	33-1-8.41	457,650	318,900	138,750		
Stern Trust U/W/O R. Ogden	101 Pleasant Hill Road	29-1-103	1,047,900	559,300	488,600		
Mountainville Properties	1575 Route 32	36-1-59	126,000	N/A	0		
Mountainville Properties	1605 Route 32	36-1-60.2	525,000	N/A	0		
Stern, Joan	99 Taylor Road	33-1-8.12	682,900	N/A	0		
Stern, Joan	130 Taylor Road	33-1-11	303,600	N/A	0		
Totals			7,077,999	2,740,210	1,801,690		

TOWN OF CORNWALL							
Stern/Ogden Properties							
Proposed Settlement							
Petitioner	Address	Tax ID	Current AV	Proposed Settlement AV (2011)	Proposed Settlement AVR (2011)		
Ralph Ogden Trust	491 Orrs Mills Road	4-2-64.2	323,450	248,200	75,250		
Ralph Ogden Trust	20 Orrs Mills Road	4-2-77.11	628,150	148,900	479,250		
Ralph Ogden Trust	305 Orrs Mills Road	4-2-77.2	126,000	56,300	69,700		
Ralph Ogden Trust	435 Orrs Mills Road	4-2-68.2	383,250	198,500	184,750		
Ralph Ogden Trust	Otterkill Road	29-1-109.2	622,000	529,400	92,600		
Pea Bridge Realty	Otterkill Road	29-1-110	96,500	49,600	46,900		
Pea Bridge Realty	315 Taylor Road	29-1-22	141,700	122,400	19,300		
Pea Bridge Realty	115 Pleasant Hill Road	29-1-69.22	370,800	198,500	172,300		
Stern, Peter	75 Anders Road	29-1-24.1	898,599	No Reduction	0		
Stern, Peter	100 Otterkill Road	29-1-53	344,500	317,700	26,800		
Stern, Peter/John P. Stern	155 Taylor Road	33-1-8.41	457,650	330,900	126,750		
Stern Trust U/W/O R. Ogden	101 Pleasant Hill Road	29-1-103	1,047,900	635,700	412,200		
Mountainville Properties	1575 Route 32	36-1-59	126,000	N/A	0		
Mountainville Properties	1605 Route 32	36-1-60.2	525,000	N/A	0		
Stern, Joan	99 Taylor Road	33-1-8.12	682,900	595,620	87,280		
Stern, Joan	130 Taylor Road	33-1-11	303,600	No Reduction	0		
Totals			7,077,999	3,431,720	1,793,080		
Petitioner	Address	Tax ID	Current AV	Proposed Settlement AV (2012)	Proposed Settlement AVR (2012)		
Ralph Ogden Trust	491 Orrs Mills Road	4-2-64.2	323,450	265,100	58,350		
Ralph Ogden Trust	20 Orrs Mills Road	4-2-77.11	628,150	159,100	469,050		
Ralph Ogden Trust	305 Orrs Mills Road	4-2-77.2	126,000	53,000	73,000		
Ralph Ogden Trust	435 Orrs Mills Road	4-2-68.2	383,250	212,100	171,150		
Ralph Ogden Trust	Otterkill Road	29-1-109.2	622,000	565,500	56,500		
Pea Bridge Realty	Otterkill Road	29-1-110	96,500	17,700	78,800		
Pea Bridge Realty	315 Taylor Road	29-1-22	141,700	17,700	124,000		
Pea Bridge Realty	115 Pleasant Hill Road	29-1-69.22	370,800	212,100	158,700		
Stern, Peter	75 Anders Road	29-1-24.1	898,599	No Reduction	0		
Stern, Peter	100 Otterkill Road	29-1-53	344,500	318,105	26,395		
Stern, Peter/John P. Stern	155 Taylor Road	33-1-8.41	457,650	353,500	104,150		
Stern Trust U/W/O R. Ogden	101 Pleasant Hill Road	29-1-103	1,047,900	694,883	353,017		
Mountainville Properties	1575 Route 32	36-1-59	126,000	N/A	0		
Mountainville Properties	1605 Route 32	36-1-60.2	525,000	N/A	0		
Stern, Joan	99 Taylor Road	33-1-8.12	682,900	636,210	46,690		
Stern, Joan	130 Taylor Road	33-1-11	303,600	N/A	0		
Totals			7,077,999	3,504,998	1,719,802		

WHEREAS, heretofore JPMorgan Chase filed petitions under Real Property Tax Law Article 7 in New York State Supreme Court, Orange County, challenging the real property tax assessments for its properties located at 36 Broadway in the Town of Cornwall and more fully described on the annexed schedule prepared by Ira S. Levy, Special Counsel, and

WHEREAS, above petitioner and the Town have reached mutually agreeable settlements,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby authorize Special Counsel to the Town to enter into and execute a settlement agreement on behalf of the Town for the assessments for above petitioner all in accordance with the annexed schedules.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/293526
254-65400
5/10/13

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Email: iralevy.esq@verizon.net

Table

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INTERNAL MEMORANDUM
PRIVILEGED AND CONFIDENTIAL
TOWN OF CORNWALL

TO: Supervisor Quigley and Town Board
Ronald Fiorentino, Town Assessor

FROM: Ira S. Levy, Special Counsel

DATE: April 17, 2013

RE: Proposed Tax Certiorari Settlement:
JPMorganChase v. Town of Cornwall – 36 Broadway – Tax ID: 24-1-2

Property Description:

The property at issue is improved with an owner-occupied, 3,030-square foot retail bank branch, located at 36 Broadway.

Proposed Settlement:

<u>Year</u>	<u>Current Assessment</u>	<u>Settlement Assessment</u>	<u>Assessment Reduction</u>
2008	377,600	334,750	42,850
2009	377,600	355,000	22,600
2010-2012: DISCONTINUED			

**RESOLUTION AUTHORIZING TAX
CERTIORARI SETTLEMENT**

WHEREAS, petitions having been filed by the property owner, below challenging real property tax assessments on the Town's assessment roll with respect to the following parcels:

<u>Property Owner</u>	<u>Address/Description</u>	<u>Year(s)</u>
JPMORGANCHASE (36 Broadway)	Section 24, Block 1, Lot 2	2008-2012

WHEREAS, petitioner's court challenges are now pending in the Supreme Court, Orange County; and

WHEREAS, the Town and the property owner have reached a mutually agreeable resolution;

NOW THEREFORE BE IT RESOLVED, the special counsel to the Town is authorized to execute a settlement on behalf of the Town for assessments for no less than the following:

<u>Year</u>	<u>Current Assessment</u>	<u>Settlement Assessment</u>	<u>Assessment Reduction</u>
2008	377,600	334,750	42,850
2009	377,600	355,000	22,600
2010-2012: DISCONTINUED			